

1 MICHAEL A. JACOBS (CA SBN 111664)  
2 MJacobs@mofo.com  
3 ARTURO J. GONZÁLEZ (CA SBN 121490)  
AGonzalez@mofo.com  
4 ERIC A. TATE (CA SBN 178719)  
ETate@mofo.com  
MORRISON & FOERSTER LLP  
425 Market Street  
5 San Francisco, California 94105-2482  
Telephone: 415.268.7000  
6 Facsimile: 415.268.7522

7 Attorneys for Defendants  
UBER TECHNOLOGIES, INC.,  
8 OTTOMOTTO LLC, and OTTO TRUCKING LLC

9 KAREN L. DUNN (*Pro Hac Vice*)  
kdunn@bsflp.com  
10 HAMISH P.M. HUME (*Pro Hac Vice*)  
hhume@bsflp.com  
11 BOIES SCHILLER FLEXNER LLP  
1401 New York Avenue, N.W.  
12 Washington DC 20005  
Telephone: 202.237.2727  
13 Facsimile: 202.237.6131

14 Attorneys for Defendants  
UBER TECHNOLOGIES, INC.  
15 and OTTOMOTTO LLC

16 UNITED STATES DISTRICT COURT  
17 NORTHERN DISTRICT OF CALIFORNIA  
18 SAN FRANCISCO DIVISION

19 WAYMO LLC,

Case No. 3:17-cv-00939-WHA

20 Plaintiff,

**DEFENDANTS' ADMINISTRATIVE  
MOTION TO FILE UNDER SEAL  
PORTIONS OF DEFENDANTS'  
SUPPLEMENTAL BRIEFING  
REGARDING MOTION TO  
COMPEL ARBITRATION  
HEARING'S QUESTIONS 3 AND 4  
(DKT. 263) AND ADDITIONAL  
QUESTIONS FROM THE COURT**

21 v.

22 UBER TECHNOLOGIES, INC.,  
OTTOMOTTO LLC; OTTO TRUCKING LLC,

23 Defendants.

24 Trial Date: October 2, 2017

In accordance with Civil Local Rules 7-11 and 79-5, and General Order No. 62,  
Defendants Uber Technologies, Inc., Ottomotto LLC, and Otto Trucking LLC (“Defendants”)  
submit this motion for an order to file under seal the confidential, unredacted versions of portions  
of Defendants’ Supplemental Briefing Regarding Motion to Compel Arbitration Hearing’s  
Questions 3 and 4 (Dkt. 263) and Additional Questions from the Court (“Supplemental Brief”).

6 The redacted portions of the Supplemental Brief discuss Uber’s highly confidential  
7 strategy and plans for the future relating to Uber’s LiDAR system and technology. (Declaration  
8 of Meredith R. Dearborn In Support of Defendants’ Administrative Motion to File Documents  
9 Under Seal (“Dearborn Decl.”) ¶ 3.) Public disclosure of this information would cause harm to  
10 Uber by giving Uber’s potential competitors access to Uber’s non-public strategy information and  
11 business plans. (Dearborn Decl. ¶¶ 3–4.)

Pursuant to Civil Local Rule 79-5(d)(2), Defendants will lodge with the Clerk the document at issue, with accompanying Chambers copies.

14 Defendants' served Waymo with this Administrative Motion to File Under Seal on May 1,  
15 2017.

16 For the foregoing reasons, Defendants request that the Court enter the accompanying  
17 Proposed Order granting Defendants' Administrative Motion to File Under Seal and designate the  
18 service copies of this document as "HIGHLY CONFIDENTIAL – ATTORNEYS' EYES  
19 ONLY."

Dated: May 1, 2017

MORRISON & FOERSTER LLP

By: s/ Arturo J. González  
ARTURO J. GONZÁLEZ

Attorneys for Defendants  
UBER TECHNOLOGIES, INC.,  
OTTOMOTTO LLC, AND OTTO TRUCKING,  
LLC

1                   **ATTESTATION OF E-FILED SIGNATURE**

2                   I, Meredith R. Dearborn, am the ECF User whose ID and password are being used to file  
3 this Brief. In compliance with General Order 45, X.B., I hereby attest that Arturo J. González has  
4 concurred in this filing.

5  
6 Dated: May 1, 2017

*/s/ Meredith R. Dearborn*

Meredith R. Dearborn

7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28